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Garrick S. Lew SBN 61889
 1
    Law Offices of Garrick S. Lew & Associates
    600 Townsend Street, Suite 329E
    San Francisco, CA 94103-4957
 3
    Telephone:
                  (415) 575-3588
    Facsimile:
                  (415) 522-1506
4
    email:
                  gsl@defendergroup.com
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    Attorneys for Defendant Johnson Mai
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 8
                               UNITED STATES DISTRICT COURT
 9
                        FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11
                                                 No: 3-06-70479 MAG
    UNITED STATES,
           Plaintiff
12
    JOHNSON MAI,
                                                 [PROPOSED] ORDER AND STIPULATION
13
                                                 FOR CONTINUANCE FROM SEPTEMBER
           a/k/a Zhi Xiong Mai
                                                 14, 2007 TO NOVEMBER 2, 2007 AND EXCLUDING TIME FROM THE SPEEDY
14
           a/k/a Uncle Hong,
           a/k/a Chi Hong Mak,
                                                 TRIAL ACT CALCULATION (18 U.S.C. §
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           a/k/a Hong Suk;
                                                 3161(h)(8)(A) AND WAIVING TIME
                                                 LIMITS UNDER RULE 5.1
    LISA LEE,
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           a/k/a Xiao Ling Li;
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    KAI LUN ZHENG,
           a/k/a Wai Keung Cheung,
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           a/k/a Su Ming,
           a/k/a Alan Zheng;
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    ZHI EN HUANG,
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           a/k/a Gao Lo;
    DAVID YUEN,
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           a/k/a Lo Wu,
           a/k/a Wu So Gor; and
22
    ERIC YU HENG CAI
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           Defendants.
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           With the agreement of the parties, and with the consent of the defendants, the Court enters this
27
    order scheduling a status conference on November 2, 2007 at 9:30 a.m. before duty magistrate judge
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- James Larson, and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from September 14, 2007 2007 to and through November 2, 2007. The parties agree, and the Court finds and holds, as follows:
  - 1. The government and defense counsel are actively involved in the process of global settlement discussions to resolve all pending charges involving all defendants before the court and additional time is necessary to seek approval of proposed plea agreements with the government.
  - 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b).
  - 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for preliminary hearing.
  - 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a preliminary hearing before the duty magistrate judge on November 2, 2007 at 9:30 a.m. and (2) orders that the period from September 14,2007 to November 2, 2007 be excluded from the time period for preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(b).

## 18 IT IS SO STIPULATED:

20	DATED: September 13, 2007	/s/ Garrick Lew GARRICK LEW
21		Attorney for Defendant Johnson Mai
22	DATED: September 13, 2007	/s/ Alice Wong
23		ALICE WONG Attorney for Defendant Lisa Lee
24	DATED: September 13, 2007	/s/ Gil Eisenberg GIL EISENBERG
25		Attorney for Defendant Kai Lun Zheng
26	DATED: September 13, 2007	/s/ Brian Getz
27		BRIAN GETZ Attorney for Zhi En Huang

1		Stuart Hanlon
2		RT HANLON by for David Yuen
3	DATED: September 13, 2007 $\frac{/s}{RAND}$	Randy Montesano Y MONTESANO
4		y for Eric Cai
5	THOM	Thomas Mazzucco AS MAZZUCCO
6		nt United States Attorney
7 8		
9	IT IS SO ORDERED.	
10	DATED:	RABLE ELIZABETH D. LAPORT
11	United	States Magistrate Judge
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28	Stipulation and Proposed Order for Continuance [3-06-70479] [MAG]	

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